

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 27, 2011
POSITION: Oppose

BILL NUMBER: AB 973
AUTHOR: N. Campos

BILL SUMMARY: Trial Courts: Budget Process: Public Notice

This bill would require a trial court to provide notification by electronic distribution to individuals who have subscribed to the courts electronic distribution service, as specified.

FISCAL SUMMARY

The Judicial Branch indicates that trial courts will incur ongoing administrative costs to solicit and review public comments and arrange and conduct the annual public hearings required by this bill. While the Judicial Branch does not know what the costs will be, they indicate that if each of the trial courts expended up to \$2,000 every year to provide notice and to conduct hearings, the increase in statewide costs could be \$100,000 annually. We note that the requirement to conduct public hearings would not become effective until January 1, 2015.

COMMENTS

The Department of Finance is opposed to this bill because it would result in additional General Fund costs that are not included in the Administration's current fiscal plan. Additionally, the trial courts have sustained significant budget reductions in recent years, and placing additional administrative burdens on them would make it even more difficult for the courts to continue providing equal access to justice.

Existing law requires a trial court to provide written notification to the public by conspicuous posting within or about its facilities, on its public Internet Web site, and to the Judicial Council, not less than 60 days prior to closing any courtroom, or closing or reducing the hours of clerks' offices during regular business hours on any day, except as specified.

This bill would:

- Require a trial court to also provide notification by electronic distribution to individuals who have subscribed to the court's electronic distribution service.
- Require notifications to include information on how the public may provide written comments during the 60-day period on the court's plan for closing a courtroom, or closing or reducing the hours of clerk's offices.
- Require the court to review and consider all public comments received and immediately provide notice to the public and to the Judicial Council if the court's plan changes as a result of the comments received or for any other reason.
- Require each trial court, prior to adopting a baseline budget plan for the fiscal year, to provide the public notice of, and an opportunity for input on, the trial court's proposed budget plan, as specified.
- Require the court to allow public input by submission of written comments or by holding a public hearing on the trial court's proposed baseline budget plan, but would require public input by both those means on and after January 1, 2015.

(Continued)

Comments (continued)

Analyst/Principal (0211) J. Osborn	Date	Program Budget Manager	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

N. Campos

June 27, 2011

AB 973

- Require the court, prior to conducting a public hearing, to make the proposed budget plan available to the public and to provide notice of the hearing date, time, and location, and the opportunity to submit written comments.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code
0250/Jud Branch	SO	No	-----	See Fiscal Summary			-----		0001